REMARKS

Claims 11 through 19, 21, 23 and 28 through 33 continue to be in the case.

New claims 34 through 39 are being submitted.

Claims 15, 17, 28, 30 - 31 are being amended.

The Office Action mailed February 20, 2004 states that,

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

The Office Action refers to the Specification.

4. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. These hyperlinks are found throughout the first paragraph on page 3 of the specification and include the following: www.compare.net, www.boftomdollar.com, www.topl0quide.com, www.shoppinqexplorer.com, www.shopfind.com, www.roboshopper.com, www.iango.com.

The present amendment eliminates the objectionable references to hyperlinks on page 3 of the specification.

The Office Action refers to Claim Objections.

5. Claim 17 stands objected to because of the following informalities:

Claim 17, line 10, delete "the database", insert --said at least one of a plurality of databases-- in order to make proper reference to the "at least one of a plurality of databases" recited in line 7 of independent claim 11.

Claim 17, lines 11-12, delete "the database", insert --said at least one of a plurality of databases-- in order to make proper reference to the "at least one of a plurality of databases" recited in line 7 of independent claim 11.

Claim 17, line 14, delete "the database", insert --said at least one of a plurality of databases-- in order to make proper reference to the "at least one of a plurality of databases" recited in line 7 of independent claim 11.

Claim 17, lines 23 and 25, please amend the limitation "a unique address for a geographical area-product combination" (line 23) and/or "a unique geographical area-product pair" (line 25) for consistency since it is presumed that both recitations in lines 23 and 25 refer to the same element.

Claim 17, line 27, delete "a prospective buyer", insert --the prospective buyer--

Claim 17, line 29, insert --chosen-- before "product" in order to make proper reference to the "chosen product" recited in line 28 of claim 17.

Appropriate correction is required.

The present amendment modifies claim 17 along the lines kindly suggested in the Office Action.

The Office Action refers to Claim Rejections - 35 USC § 112.

7.   Claims 15, 16, and 28-33 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject

matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 15 has been amended to include the limitation, "checking delivery status of the product." The specification, as originally filed, does not disclose this limitation; therefore, it is deemed to raise the issue of new matter. Claim 16 is dependent from claim 15 and therefore inherits the same rejection.

The present amendment cancels the objectionable language.

Claim 28 has been added and it recites the limitation, "delivering the selected product to the prospective buyer in the selected local store." The specification, as originally filed, does not disclose this limitation; therefore, it is deemed to raise the issue of new matter. Claim 29-33 are dependent from claim 28 and therefore inherit the same rejection.

The present amendment cancels the objectionable language.

Claim 30 has been added and it recites the limitation, "rebating part of the purchase price upon purchase of the selected product by the prospective buyer to the buyer after the sale is established." While the specification, as originally filed, discloses the general concept of rebates, it does not disclose the specifics of a rebate that is rebated "upon purchase of the selected product by the prospective buyer to the buyer after the sale is established". For example, there are in-store rebates and those which one must send away for after purchasing the product. The specification does not provide the details

of either type of rebate; therefore, the details of this limitation are deemed to raise the issue of new matter.

The present amendment cancels the objectionable language.

Claim 31 has been added and it recites the limitation, "collecting the information from newspaper advertising." While the specification, as originally filed, discloses the general concept of collecting sales information from newspaper advertising, this disclosure is limited to the background of the invention. It is not clear whether or not "newspaper advertising" is synonymous with sales circulars (which are disclosed as one possible source of product information used as part of the Applicant's invention). Therefore, this limitation is deemed to raise the issue of new matter.

The present amendment modifies the objectionable language in view of the kind remarks in the Office Action.

9.   Claims 15, 16, and 28-33 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention

Claim 15 recites the step of "checking delivery status of the product"; however, it is not clear why a prospective buyer would check a delivery status if the prospective buyer reserves a product only if it is determined to be available in inventory at a local store. Claim 16 is dependent from claim 15 and therefore inherits the same rejection,

The present amendment cancels the objectionable language.

Claim 28 recites the similar step of "delivering the selected product to the prospective buyer in the selected local store." Again, it is not clear why a prospective buyer would have the selected product delivered to him/her in the selected local store if the prospective buyer reserves a product only if it is determined to be available in inventory at a local store. Claims 29-33 are dependent from claim 28 and therefore inherit the same rejection.

The present amendment cancels the objectionable language.

In light of the related rejections under 35 U.S. C. § 112, 1St and 2"d paragraphs, for examination purposes, all references to a delivery in claims 15, 16, and 28-33 will be ignored.

Applicant sincerely appreciates the decision of the Office Action to examine claims 15, 16 and 28 to 33.

Appropriate correction is required.

The Office Action refers to Claim Rejections - 35 USC § 103.

11.   Claims 11-16, 18, 19, 21, 23, and 28-33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Ziff-Davis' NetBuyer, as disclosed in "Ziff-Davis Signs Up 189 Advertisers for the Coming Launch of Its Computer Shopper NetBuyer Web Site" (herein referred to as Ziff-Davis) and "Nothing But Net: Useful Internet Sites," in view of NetDynamics, as disclosed in "Service Merchandise Uses NetDynamics to Move Its Entire Catalog Onto the Internet" (herein referred to as NetDynamics).

Applicant notes the detailed reasoning in the Office Action. Applicant so far did not find a good answer to the arguments and considerations of the Office Action.

Applicant is continuing with efforts to avoid the rejections expressed in the Office Action and intends to supplement the present Response..

The Office Action refers to Allowable Subject Matter.

12.   Claim 17 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Also, the objections to claim 17 identified in the "Claim   Objections" section above must be remedied as well.

Applicant very much appreciates the finding of allowable subject matter in claim 17. Claim 17 has been further corrected and is now presented in independent form in order to be fully allowable.

Reconsideration of all outstanding rejections is respectfully requested.

Entry of the present amendment is respectfully requested. All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,
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IN THE CLAIMS:

MARKED-UP VERSION OF AMENDED CLAIMS

1.   (cancelled) A method for using a computer to present price comparison to a prospective buyer for products offered for sale by a plurality of merchants, said merchants stocking said products in stores that said prospective buyer may personally visit to see and/or touch and/or feel said products, said method comprising:

* collecting information from a plurality of said merchants that comprises data on said products including price

* storing said data into at least one of a plurality of databases

* presenting at least one of a plurality of records that shows said comparison to said prospective buyer.

2.   (cancelled) The method of claim 1, wherein a search key is used for retrieving the data from said databases.

3.   (cancelled) The method of claim 1, further comprising checking said store inventory of said merchant to determine the availability of said product.

4.   (cancelled) The method of claim 1, further comprising reserving at least one of a plurality of said products that can be picked up later at said merchant store.

5.   (cancelled) The method of claim 1, further comprising accepting a credit card number from said prospective buyer to purchase said product.

6.   (cancelled) An apparatus for presenting price comparison to a prospective buyer for products offered for sale by a plurality of merchants, said merchants stocking said products in stores that said prospective buyer may personally visit to see and/or touch and/or feel said products, comprising:

* at least one of a plurality of storage devices

* at least one of a plurality of processors connected to said storage devices

* said storage devices storing

* information from a plurality of said merchants that comprises data an said products including price

* a program for controlling said processor

* said processor operative with said program to present at least one of a plurality of records that shows said comparison to said prospective buyer.

7.   (cancelled) The apparatus of claim 6, in which said processor is further operative with said program to use a search key to retrieve said data from said storage devices.

8.   (cancelled) The apparatus of claim 6, in which said processor is further operative with said program to check said store inventory of said merchant to determine the availability of said product.

9.   (cancelled) The apparatus of claim 6, in which said processor is further operative with said program to reserve at least one of a plurality of said products that can be picked up later at said merchant store.

10.   (cancelled) The apparatus of claim 6, in which said processor, is further operative with said program to receive a credit card number from said prospective buyer to purchase said product.

11. (previously presented) A method for using a computer to present price comparison to a prospective buyer for products offered for sale by a plurality of merchants, said merchants stocking said products in stores that said prospective buyer may personally visit to see and/or touch and/or feel said products, said method comprising:

collecting information from a plurality of said merchants that comprises data on said products including price;

storing said data into at least one of a plurality of databases;

entering a product and a state into the computer by a prospective buyer;

presenting a plurality of records associated with merchants having local stores in said state wherein the records show a price comparison between the merchants having local stores to said prospective buyer.

12. (previously presented) The method for presenting a price comparison according to claim 11 further comprising

collecting additional information from sales circulars;

collecting information relating to merchant name, merchant address, product description, model number, regular price, sales price, coupons, rebates, colors, and sizes;

entering geographical region, postal code, town name, or county name into

the search key;

sorting the database according to price.

13.   (previously presented) The method for presenting a price comparison

according to claim 11 further comprising

entering data for merchants offering a specific product in a specific state into

the database, wherein the data includes merchant name, product description,

sales price, coupons or rebates;

providing access to the database through a browser interface;

presenting options to the prospective buyer for choosing a state and a

product;

retrieving the data after the state and product are chosen by the prospective

buyer;

sorting records in an ascending order based on sales price into a listing;

presenting the prospective buyer with the listing including merchants

offering the product for sale in the chosen state;

furnishing an option to the prospective buyer to initiate sorting based on a

merchant name.

14. (previously presented) The method for presenting a price comparison according to claim 11 further comprising

mapping the data to a unique address for a geographical area-product pair combination;

immediately presenting comparison data for a unique geographical area-product pair to the prospective buyer.

15. (currently amended) The method for presenting a price comparison according to claim 11 further comprising

checking inventory at a local store of a merchant upon request of a prospective buyer to determine availability of a chosen product;

~~checking delivery status of the product;~~

reserving the product at the local store for pickup after determining availability has been performed.

16. (previously presented) The method for presenting a price comparison according to claim 15 further comprising

entering a registration token;

accepting the registration token by the merchant;

guaranteeing a purchase by the merchant based on the accepting of the registration token by the merchant.

17.   (currently amended) [[The]] A method for using a computer for presenting a price comparison according to claim 11 further

to a prospective buyer for products offered for sale by a plurality of merchants, said merchants stocking said products in stores that said prospective buyer may personally visit to see and/or touch and/or feel said products, said method

comprising

collecting information from a plurality of said merchants that comprises data on said products including price;

storing said data into at least one of a plurality of databases;

entering a product and a state into the computer by a prospective buyer;

presenting a plurality of records associated with merchants having local stores in said state wherein the records show a price comparison between the merchants having local stores to said prospective buyer;

collecting additional information from sales circulars collecting information relating to merchant name, merchant address, product description, model number, regular price, sales price, coupons, rebates, colors, or sizes;

entering attributes into a search key;

entering geographical region, postal code, town name, county name, state name, product name, product category, model number, product description, price, product features, or brand name into the search key;

sorting the database according to model number;

entering data for merchants offering a specific product in a specific state into ~~the database~~ said at least one of a plurality of databases, wherein the data includes merchant name, product description, sales price, coupons or rebates;

providing access to ~~the database~~ said at least one of a plurality of databases through a browser interface;

presenting options to the prospective buyer for choosing a state and a product;

choosing a state and a product by the prospective buyer;

retrieving the data after the state and product are chosen;

sorting records in an ascending order based on sales price into a listing;

presenting the prospective buyer with the listing of merchants offering the product for sale in the chosen state;

furnishing an option to the prospective buyer to initiate sorting based on a merchant name;

mapping the data to a unique address for a geographical area-product combination <u>pair</u>;

connecting to the unique address;

immediately presenting comparison data for a unique <u>address of a</u> geographical area-product <u>combination</u> pair to the prospective buyer;

checking inventory at a local store of a merchant upon request of [[a]] <u>the</u> prospective buyer to determine availability of a chosen product;

reserving the <u>chosen</u> product at the local store for pickup after determining availability has been performed;

entering a registration token or a credit card number;

accepting the registration token or credit card number by the merchant;

guaranteeing a purchase by the merchant based on the accepting of the registration token or credit card number by the merchant.

18.   (previously presented) A method for using a computer to present price comparison to a prospective buyer for products offered for sale by a plurality of merchants, said merchants stocking said products in stores that said prospective buyer may personally visit to see and/or touch and/or feel said products, said method comprising:

collecting information from a plurality of merchants having local stores that comprises data on said products including price;

storing said data into at least one of a plurality of databases;

presenting at least one of a plurality of records that shows said price comparison to said prospective buyer.

19. (previously presented) The method of claim 18 , wherein a search key is used for retrieving the data from said databases.

20. (cancelled) The method of claim 18, further comprising checking a store inventory of said merchants to determine the availability of said products.

21. (previously presented) The method of claim 18, further comprising reserving at least one of a plurality of said products that can be picked up later at said merchant stores.

22. (cancelled) The method of claim 18, further comprising accepting a credit card number from said prospective buyer to purchase a product.

23. (previously presented) An apparatus for presenting price comparison to a prospective buyer for products offered for sale by a plurality of merchants, said merchants stocking said products in stores that said

prospective buyer may personally visit to see and/or touch and/or feel said products, comprising:

at least one of a plurality of storage devices;

at least one of a plurality of processors connected to said at least one of a plurality of storage devices;

said at least one of a plurality of storage devices storing

information from a plurality of said merchants that comprises data on said products including price;

a program for controlling said at least one of a plurality of processors

said at least one of a plurality of processors operative with said program to present at least one of a plurality of records that shows said comparison to said prospective buyer.

24.   (cancelled)   The apparatus of claim 23, in which said at least one of a plurality of processors are further operative with said program to use a search key to retrieve said data from said at least one of a plurality of storage devices.

25.   (cancelled)   The apparatus of claim 23, in which said at least one of a plurality of processors are further operative with said program to check a store inventory of said merchants to determine the availability of said products.

26.   (cancelled)   The apparatus of claim 23, in which said at least one of a plurality of processors are further operative with said program to reserve at least one of a plurality of said products that can be picked up later at said merchant stores.

27. (cancelled) The apparatus of claim 23, in which said at least one of a plurality of processors is further operative with said program to receive a credit card number from said prospective buyer to purchase a product.

28. (currently amended) A method for presenting a price comparison to a prospective buyer comprising

collecting information for products offered for sale by a plurality of merchants in local stores;

storing said information into records in a database;

connecting the database to a computer operated by a prospective buyer;

entering a product selected by the prospective buyer and a selected state into the computer;

presenting to the prospective buyer on the computer a list of merchants selling the selected product locally in the selected state and sorted in ascending order by price;

selecting a merchant and a local store by the prospective buyer;

entering the selected merchant and the selected store into the computer by the prospective buyer;

delivering the selected product to the prospective buyer in the selected local store.

29.   (previously presented)   The method according to claim 28 further

comprising

reducing the purchase price by a coupon in the hands of the prospective

buyer.

30.   (currently amended)   The method according to claim 28 further

comprising

rebating part of the purchase price ~~upon purchase of the selected product by~~

~~the prospective buyer to the buyer after the sale is established~~.

31.   (currently amended)   The method according to claim 28 further

comprising

collecting the information from ~~newspaper advertising~~ sales circulars; and

searching the database based on a search key defining a product and a

geographical region;

retrieving data from the database;

arranging the data in a sorted order to show comparison.

32.   (previously presented)   The method according to claim 28 further

comprising

entering a registration token into the computer for reserving purchase of a

product available at a local store;

picking up the product at the local store based on the registration token;

granting to the prospective buyer a number of days of price protection

during which time the selected merchant will return any price difference

between the price paid and a price presented in a bona fide offer by another

merchant to the buyer.

33.   (previously presented)   The method according to claim 28 further

comprising

collecting information for products from sales circulars into the database;

and

presenting to the prospective buyer on the computer a number of top picks of

merchants selling the selected product locally in the selected state and sorted

in ascending order by price.

34.   (new)   A method for using a computer to present price

comparison to a prospective buyer for products offered for sale by a plurality

of merchants, said merchants stocking said products in stores that said

prospective buyer may personally visit to see and/or touch and/or feel said products, said method comprising:

collecting information from a plurality of sales circulars, advertised specials, sales promotions or merchants that comprises data on said products relating to merchant name, merchant address, geographical region, postal code, town name, county name, state name, product name, product description, model number, regular price, sales price, coupons or rebates;

storing said data into at least one of a plurality of databases;

allowing said prospective buyer to enter a search key;

using said search key for retrieving said data from said at least one of a plurality of databases;

presenting at least one of a plurality of records that shows said comparison to said prospective buyer.

35.   (new)   The method of claim 34, further comprising checking inventory at a local store of a merchant upon request of said prospective buyer to determine the availability of a chosen product, further comprising reserving said chosen product at said local store for pickup after determining availability has been performed satisfactorily.

36.   (new)   The method of claim 34, further comprising said prospective buyer entering a registration token or a credit card number to purchase said chosen product, accepting said registration token or credit card number by

said merchant, guaranteeing a purchase by said merchant based on the acceptance of said registration token or credit card number by said merchant.

37. (new) An apparatus for presenting price comparison to a prospective buyer for products offered for sale by a plurality of merchants, said merchants stocking said products in stores that said prospective buyer may personally visit to see and/or touch and/or feel said products, comprising:

at least one of a plurality of storage devices;

at least one of a plurality of processors connected to said at least one of a plurality of storage devices;

said at least one of a plurality of storage devices storing:

information collected from a plurality of sales circulars, advertised specials, sales promotions or merchants that comprises data on said products relating to merchant name, merchant address, geographical region, postal code, town name, county name, state name, product name, product description, model number, regular price, sales price, coupons or rebates;

a program for controlling said at least one of a plurality of processors;

said at least one of a plurality of processors operative with said program to allow said prospective buyer to enter a search key;

said at least one of a plurality of processors operative with said program to use said search key to retrieve said data from said at least one of a plurality of storage devices;

said at least one of a plurality of processors operative with said program to present at least one of a plurality of records that shows said comparison to said prospective buyer.

38. (new) The apparatus of claim 37, in which said at least one of a plurality of processors are further operative with said program to check inventory at a local store of a merchant upon request of said prospective buyer to determine the availability of a chosen product, and further reserve said chosen product at said local store for pickup after determining availability has been performed satisfactorily.

39. (new) The apparatus of claim 38, in which said at least one of a plurality of processors are further operative with said program to receive a registration token or a credit card number from said prospective buyer to purchase said chosen product, accepting said registration token or credit card number by said merchant, guaranteeing a purchase by said merchant based on the acceptance of said registration token or credit card number by said merchant